

08-24-05

PATENT  
60709-00017

TFW  
3629

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lavorgna et al.

:

Art Unit: 3629

Serial No.: 09/873,815

:

Examiner: Tan D. Nguyen

Filed: June 4, 2001

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For: SYSTEMS AND METHODS  
FOR MANAGING BUSINESS  
METRICS

:

:

:

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:  
Transmittal (3 pgs., in duplicate); Amendment in Response to Office Action dated  
March 24, 2005 (19 pgs.); Return post card

STATUS

2. Applicant



claims small entity status.  
is other than a small entity.

CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER FOR PATENTS

Express Mail Label No.: EV593384587US

Date: August 23, 2005

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Daniel M. Fitzgerald, Reg. No. 38,880

08/23/2005 CNGUYEN2 00000041 012384 09873815  
01 FC:1252 450.00 DA

08/26/2005 CNGUYEN2 00000041 012384 09873815

01 FC:1252 450.00 DA

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
<input type="checkbox"/> first month	\$ 120.00	\$ 60.00
<input checked="" type="checkbox"/> second month	\$ 450.00	\$ 225.00
<input type="checkbox"/> third month	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> fourth month	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> fifth month	\$ 2,160.00	\$1,080.00
	Fee Due	\$ 450.00

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 450.00

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	OR	ADDITIONAL RATE FEE
TOTAL INDEP.	38	MINUS	38	=0	x \$25.00 = \$		x \$50.00 = \$0.00
	4	MINUS	7	=0	x \$100.00 = \$		x \$200.00 = \$0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180.00 = \$		+ \$360.00 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$0.00

- (a) ☒ No additional fee for Claims is required

OR

- (b) ☐ Total additional fee for claims required \$

**FEE PAYMENT**

5.        Attached is a check in the sum of \$

☒ Charge Deposit Account No. 01-2384 the sum of \$450.00  
A duplicate of this transmittal is attached.

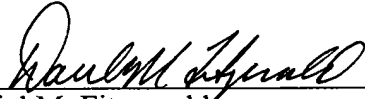
**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. ☐ Other:

  
\_\_\_\_\_  
Daniel M. Fitzgerald  
Reg. No. 38,880  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102  
314/621-5070

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**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313

In response to the Office Action dated March 24, 2005, Applicants respectfully request consideration and entry of the following amendment.